

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:10-CV-172-D

WILLIAM C. MANN,)	
)	
Plaintiff,)	
)	
v.)	ORDER
)	
M. DALE SWIGGETT,)	
)	
Defendant.)	

On October 31, 2011, Magistrate Judge Daniel issued an Order and Memorandum and Recommendation (“M&R”) [D.E. 88]. In the M&R, Judge Daniel recommended that (1) defendant’s three motions for amendment [D.E. 48, 49, 52] be denied; (2) that defendant’s motion for default judgment [D.E. 61] be denied; and, (3) that defendant’s motion for default and summary judgment [D.E. 63] be denied. However, Judge Daniel again warned defendant about his conduct in this litigation [D.E. 88]. Notably, throughout the litigation, defendant has filed ridiculous pleadings and sought to litigate matters that are not in this case. No party filed objections to the M&R.

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge’s] report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (quotation omitted) (emphasis removed) (alteration in original). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Id. (quotation omitted).

The court has reviewed the M&R, the record, and the briefs. The court is satisfied that there is no clear error on the face of the record. The court adopts the M&R. Defendant's three motions to amend [D.E. 48, 49, 52] are DENIED, defendant's motion for default judgment [D.E. 61] is DENIED, and defendant's motion for default and summary judgment [D.E. 63] is also DENIED.

SO ORDERED. This 15 day of December 2011.


JAMES C. DEVER III
Chief United States District Judge